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## INTERNATIONAL LEGISLATION AND ADMINISTRATION <sup>1</sup>

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A SURVEY of international politics discloses two great facts. The first is, that the nations have always refused to consider any plan for instituting an international government endowed with physical force. The second is, that the nations, by the Hague Convention for Pacific Settlement of International Disputes, ratified by practically all of them, besides establishing the judicial part of an international organization, legitimized and recommended international conciliation of disputant or belligerent nations by any nation not engaged in the dispute, through good offices and mediation, and also recommended the institution of commissions of inquiry by disputant nations to settle the dispute as agencies of international conciliation.

This second fact is of profound importance; for the Convention for Pacific Settlement is, so far as it goes, a written constitution of the society of nations. By it the united nations instituted an international judicial organ, the Permanent Court of Arbitration; and certain administrative organs ancillary to the court, the Permanent Administrative Council and the International Bureau. By it mediating nations, and commissions of inquiry instituted by disputant nations, were recognized as international conciliative agencies in the particular case. By it the processes of action of these international agencies and organs were prescribed. By the Draft Convention for a Judicial Arbitration Court—otherwise called the Permanent Court of Arbitral Justice—the Second Hague Conference instituted an additional international organ and pre-

<sup>1</sup> Address delivered at the National Conference on Foreign Relations of the United States, held under the auspices of the Academy of Political Science in co-operation with the American Society of International Law, at Long Beach, N. Y., May 29, 1917.

scribed its processes; and when the nations agree concerning the manner of selecting the judges of this new international court and thus put the Draft Convention into effect, the Draft Convention will in fact form an additional part of the Convention for Pacific Settlement. The Convention for Pacific Settlement is, however, an incomplete written constitution, because it fails to institute any international legislative organs or processes whatever, and because the administrative organs instituted by it, being only ancillary to the judicial organ, are inadequate for general international administrative purposes. In spite of the incompleteness and inadequacy of the Convention for Pacific Settlement, however, the fact that it exists, as the substantially unanimous act of all nations, is perhaps the most momentous circumstance in human history. When the substantially unanimous ratification of this convention was completed, in the summer of 1907, the nations ceased to be a mere unorganized community, and became an organized voluntary and co-operative society and union for judicial purposes—a *verband*, as the German writers describe it;<sup>1</sup> or a consociation, as we might call it.

The nations were not ready, at the time of the Hague Conferences, to consider the question of an improved arrangement for international legislation and administration. It was not even discussed in 1899 or in 1907. The ten years that have nearly elapsed since the Second Hague Conference have, however, been years of wonderful development and progress. This universal war has clarified many things that before were unseen or seen only darkly. The question of making an improvement in international legislation and administration is now one of practical politics. It is clear that such an improvement must occur through the amendment and revision of the Convention for Pacific Settlement so as to add to it the proper institutions for international legislation and administration, consistent with the existing judicial, administrative and conciliative institutions established by it and conforming to the general

<sup>1</sup> See *Der Staatenverband der Haager Konferenzen*, by Professor Walther Schücking of the University of Marburg, published in 1912.

spirit of the convention and the fundamental principles on which it is based.

The first question is, ought an international administrative body to be itself empowered to use physical force to control the nations; that is to say, ought a physical-force international government to be instituted by the nations to govern them for the common purposes? If the nations delegate to a physical-force government the power to govern them, they must also delegate to it the power to tax for the common purposes and the power to raise, support and wield an international army, navy and police. The power to tax, as has been well said, is the power to destroy.

The question whether a physical-force international government is politically practicable as tending to just government, almost answers itself in the negative; since all the nations have persistently, unanimously and recently refused even to consider such a form of government. Yet, as such an international government is advocated by many, it will be desirable to analyze the reasons why it is impracticable, and to satisfy ourselves that these reasons are permanent and unchangeable.

All plans for such an international government fall into one of three classes: They are plans for international government by one nation; or by a league of nations; or by a body of men delegated by the nations, with power to raise, support and wield an international army, navy and police. An international government consisting of one nation would be necessarily autocratic, since a nation is necessarily endowed with physical force and cannot be legally limited. The only limitations upon the powers of a nation which are possible are self-limitations imposed by the nation upon itself; which, from the standpoint of political science, are no limitations. Moreover, the only nation which could, as a matter of practical politics, be the constituted international autocrat would be one which was already the *de facto* international autocrat by reason of its control of the seas, the international trade routes, and the regions inhabited by weak or backward peoples, and which was so favorably located as to be able successfully to weaken all its rivals by playing as sure winner in the diplomatic and military game of the balance of power.

A league of nations is, like a nation, endowed with physical force and is incapable of constitutional limitations; and if such a league were to institute itself as the international government, it would have to be, already, collectively, the *de facto* international autocrat. There being no possibility of constitutional limitation as respects either the internal or the external relations of the league, it would necessarily develop an invisible government of its own, which would be the autocrat of the league and of the world. This invisible government would necessarily be a body of men, or the one nation which at the moment happened to be the *de facto* and actual autocrat of the world.

If the nations, without disarming, were to appoint a body of persons with governmental powers for the common purposes and endow this body with physical force, the result would be to increase the possibilities of war without establishing an efficient international government. If the nations were to disarm and delegate powers of government for the common purposes to a body of persons, at the same time endowing this body with physical force, they would destroy themselves as nations and become states of a universal federal state. Such self-abnegation on the part of the nations, if conceivable as a matter of practical politics, would, however, be of no avail, since a federal state thus established would be found to be inefficient as a means of preserving international order and peace.

The federal state, if attempted to be applied where the requisites for its operation do not exist, establishes an autocracy of a majority necessarily ignorant of its own needs or the needs of the minority, which is the worst and most hopeless of all autocracies. The two requisites for the successful existence of a federal state have been proved to be, first, that it shall include a territory every part of which is contiguous with every other part or is so situated and populated that it may be regarded as appurtenant for political purposes; second, that it shall contain a population which is highly civilized and homogeneous and which is under an economic pressure to co-operate as an economic unit. Where these two conditions

do not exist, the federated states and peoples are necessarily ignorant of the local conditions of one another and are swayed by their local interests, so that the majority vote of their representatives is necessarily determined by the play of the local interests against each other. Such a situation means either government by an assembly which is autocratic through ignorance, or an invisible government which is autocratic as being without constitutional limitations. On account of the realization of this danger of the federal-state plan of government, if extended beyond the regions in which the necessary conditions exist, the proposal for converting the British Empire into a federal state, promoted by the Imperial Federation League from 1885 to 1895, was rejected by the people of Great Britain, and by the people of the British dominions, colonies and dependencies. For the same reason, the people of the United States rejected the proposal to incorporate the Philippines into an enlarged American federal state. Taking the world together, with its diverse nations and peoples, the conditions for uniting the nations and their peoples into a federal state are lacking not only at the present time, but undoubtedly for all time to come.

If, therefore, the nations were to attempt to institute any kind of international government endowed with physical force, they would inevitably be instituting an international autocracy. It would be indispensable that in any constitution of the society of nations, there should be an express constitutional prohibition, denying physical force to any part of the organization—legislative, administrative, or judicial; and also a prohibition denying the power of taxation in any form or under any guise whatever, since a body which can tax can endow itself with physical force.

The object of these prohibitions would be, however, only to prevent the international body delegated by the nations from becoming autocratic, and it would doubtless be needful that the international body should exercise certain international police powers in certain exceptional cases. Therefore it would be necessary to provide, by way of exception, that these prohibitions should not prevent the nations from making grants to the

international body, by special international agreements, of police or taxing power, or both, within international areas or internationalized districts designated by these international agreements, where the local circumstances were such that it would be certain that no resistance would be made to the international police except by individuals or by small unorganized bodies of individuals..

But, though thus substantially deprived of physical force, the international body which any constitution of the society of nations must necessarily institute of course must not be deprived of force, since all government involves the use of force. It could be, and undoubtedly ought to be endowed with persuasive force. Persuasion is a force which is utilizable and every day utilized, with increasing effectiveness, by all governments, but which, like all forces, has the possibility of use for good or for evil. An international body, delegated by the nations, could use persuasion to induce the nations either to co-operate in order and peace, or to compete with one another in disorder and war. By controlling the physical force of some of the nations, it could terrorize and enslave other nations or produce interminable war and anarchy. Such a power must be carefully safeguarded by constitutional limitation, so that it may be effective and yet not dangerous.

The international body, in order to be effective, must exercise scientifically organized, informed and applied persuasion. This implies conciliation by expert, informed and aggressive action. The international body must not sit still and wait for the nations to ask it to act. It must investigate and inform itself, must formulate counsel on the facts discovered by investigation, and must do everything proper to induce the nations to accept and follow its counsel. A body endowed with the power of conciliation uses real force and superior force; for it uses psychical force; and psychical force, being the creator, user and destroyer of physical force, is necessarily superior and major force.

The international conciliative body, in order to be effective, must be pervasive. It must therefore have in each nation a

permanent branch or delegation. Doubtless the international body would appoint the members of each national delegation, subject to confirmation by the nation through its executive government or its legislature. Doubtless also the members of each national delegation would be removable by the international body.

The international conciliative body, in order to be effective, must be armed by the nations with the weapon of publicity, so that it may create and wield, or correct, public sentiment in favor of its righteous counsel. The power to publish its counsel and support it by statement of facts and by argument, might, and probably would, require that it should be granted a means of publication controlled by itself.

The international body, in order not to be dangerous, must use its power of persuasion exclusively for conciliation to induce co-operation. It must appeal to self-interest, seen in the light of the interests of all concerned. There must be an entire absence of threats, secret pressure, or other form of terrorization. Partisan politics must never be allowed to influence its personnel or work, or that of its delegation in any nation. Its independence and impartiality must be absolute, and should be jealously prized and guarded by the people.

It should be impossible in the future for any conferences to be held when secret treaties exist affecting the objects discussed, unknown not only to the nationals of the countries involved, but to the very parliaments themselves, as has been the case in the past. The fundamental work of the international body must be, through its delegation in each nation, to instruct the masses concerning the international status, the situation of their own nation, the attitude of their own national administration toward international affairs and the reasons for and against it, as clearly and definitely as is compatible with the public interest; so that public opinion, instead of being swayed by ignorance, by prejudice or by local self-interest, will be sound and enlightened and a source of strength in any crisis.

Conciliation necessarily involves the acceptance and promulgation of democracy, republicanism and co-operation; that is,



in a word, the two great commandments of the New Testament. It implies government by consent, since conciliation by the government and consent by the governed are correlative. The philosophy which it must inevitably act upon and inculcate, if it acts logically, is the philosophy of co-operation—that each man and each nation can gain more by voluntarily co-operating with all others in utilizing the forces of nature for human development and by participating equitably in the common product, than is possible by isolated or competitive action.

The principle of conciliative direction of the international acts and relations of nations by international agencies, is the fundamental principle on which the Convention for Pacific Settlement is based. The first part of that convention is devoted to “good offices and mediation;” the second to “arbitration.” “Good offices and mediation” are merely diplomatic terms to express two elements of the whole process of international conciliation. Though the convention, as has been said, creates no general international agency of international conciliation, nevertheless by its legitimation and approval of good offices and mediation by one nation as respects disputes between other nations, and by its recommendation to disputant nations to institute commissions of inquiry for the settlement of the dispute as international conciliative agencies, it recognizes international conciliation as a proper and feasible means of directing international action. The establishment of means for international legislation and administration by conciliation, therefore, would not require the nations to accept a new principle. It would only be the carrying-out to its logical conclusion of a principle which they have already accepted. The problem of bringing about efficient international legislation and administration is that of formulating a scheme of international legislation and administration based on the accepted principle of international conciliation, which shall be acceptable to the nations as being for their general and particular self-interest; and of fitting this scheme into the present scheme of international adjudication and national conciliation established by the Convention for Pacific Settlement, so as to expand that

convention into a complete written constitution of the society of nations.

The proper organs of an international political body for effecting international legislation and administration by conciliation would not, it seems, be a legislature and an executive exactly in the sense in which we use these terms, but would resemble what in our large civic associations and our business trusts (and, indeed, in nearly all associations of a purely voluntary and co-operative character) we call an executive committee and a general committee. The body corresponding to an executive committee might be called the ordinary international directorate, and the one corresponding to a general committee, the superintending international directorate. The ordinary directorate would, through its members, aided by such subordinate committees and expert assistants as might be found necessary, and by the local delegations in each nation, do the continuous administrative work of conciliation—making investigation of facts, formulating its counsel on the facts as ascertained, and doing everything proper, short of using physical force, to induce the adoption of the counsel by the national governments concerned. The superintending directorate, meeting occasionally or periodically, would, as chief administrative, superintend the administrative action of the ordinary directorate by formulating different counsel in particular cases, and would also act legislatively by laying down general rules applicable to general classes of international activities. These general rules would be primarily for the guidance of the ordinary directorate in its conciliative work. Incidentally they would be for the guidance of the nations and their people in the classes of international activities to which the rules would relate.

The ordinary directorate would doubtless be more effective if it were to be an appointive body. The members might be appointed by a body corresponding to the Permanent Administrative Council established by the Hague Conferences, or by the superintending directorate. The superintending directorate would doubtless be most efficient if it were to be a representative body. The system adopted in the United States of

having a Senate and a House of Representatives, the one representing the nations as equals, and the other representing districts of equal population, would seem to be applicable.

The composition of the membership of the directorates would be a matter of prime importance. There would doubtless need to be stringent rules determining the eligibility of persons to membership in either directorate, particularly in the ordinary directorate. The use of conciliation as a governing force so as efficiently to direct the action of masses of men, by their own consent, into activities which are to their self-interest and also to the interest of all, is expert work of the highest character. No one should be eligible to such an official station who is not naturally endowed with great intellect and conscientiousness, and who has not added as much as possible to his natural powers by education, by study and research, by travel enlightened by knowledge of languages, and by actual experience in government.

Under an international conciliative directorate, international legislation would be effected, as at present, by the conventional enactments of conferences of all nations ratified by the separate nations, or by the fixation of international custom through coinciding treaty and diplomatic action of many nations; but in addition it would be effected by the general rules laid down by the superintending directorate for the guidance of the ordinary directorate, by the ordinary directorate in following its own precedents of counsel, and by uniform national legislation and treaty action respecting international matters, this uniformity being brought about by the conciliative action of the international directorate. Each nation would be regarded as having not only exclusive powers of government within its own borders and over its own purely internal activities, and over all its citizens and corporations as respects their international activities, but also concurrent full powers of government with all other nations over the high seas, and concurrent limited powers of government over the international trade routes, natural and artificial, and over all regions held as dependencies by any one nation. The international directorate and the national legislatures and treaty-making organs, acting uniformly

in international affairs, would all together constitute the international legislature. International conferences for framing rules of international law, subject to ratification by the nations, might also be held, if deemed advisable.

The international administration would be conducted by the two directorates and the executives of the different nations; the latter enforcing, each upon its own nationals and corporations, in a uniform manner recommended by the international directorate, the international legislation enacted in manner above described. The international administrative would thus be composed of the international directorate and the particular national executive engaged in enforcing a particular act of international legislation.

The present Permanent International Court of Arbitration, and the Permanent Court of Arbitral Justice already agreed to in principle by the Second Hague Conference, would remain as the supreme judicial organs of the society of nations; their decisions being advisory and being reported by the respective courts to the ordinary directorate so that it might secure their enforcement through conciliation of the nations concerned. Doubtless in the long run international district courts would be established in correspondence with the Permanent Court of Arbitral Justice, each district comprising one large nation or a group of smaller nations. These district courts might have final jurisdiction in non-constitutional cases in which the rights involved were really those of individual nationals of different nations, subject to *certiorari* from the Permanent Court of Arbitral Justice. The Permanent Court of Arbitral Justice might have appellate jurisdiction over the district courts in constitutional cases between individual nationals of different nations, and exclusive jurisdiction in suits between nations involving strictly national rights as distinct from the rights of individual nationals. The nations would of course remain at liberty to settle their disputes by arbitration conducted by arbiters of their own choice, if they saw fit.

The primary power which would need to be delegated to the international directorate would be the power to bring about, through conciliation applied to national governments so as to

induce uniform national legislation and treaty action, the internationalization and freedom of the high seas and of the international trade routes, including international railroads, canals, straits, sounds and rivers. This would involve a conciliative direction of international trade, finance, intercourse and migration. Power might also be delegated to the international directorate to bring about, by the same conciliative action, a more or less complete internationalization of backward countries held as dependencies of separate nations; such internationalization to be effected by each nation holding dependencies adopting a more or less open-door policy, determined in each case by the local circumstances of each dependency, as respects concessions for internal improvements and for carrying on manufacturing, mining, trade, transportation and banking in these countries; the ultimate goal being the equalization of economic opportunity among all the nations.

The exceptional cases in which the police and taxing power, or the police power alone, might properly be granted to the international directorate would, it seems, be of three kinds. First, if a district were provided as the seat of international direction, the international directorate would necessarily have the power of local police and local taxation within the district; second, if the high seas, as an international area by reason of being the common property of all nations, were to be freed from national naval vessels as the result of destructive inventions and the successful working of the international directorate, the international directorate might be granted authority to patrol the sea routes for police purposes; and, third, if zones or districts bordering on straits, canals or rivers were internationalized by special international agreement, the international directorate might be granted authority to maintain a police patrol within the internationalized zone or district.

The whole directorate, composed of the ordinary directorate and the superintending directorate, together with the international courts,—which might be called the general international directorate,—would be financially supported in the same manner as is the present international body located at The Hague. The Convention for Pacific Settle-

ment provides that the expenses of the present Hague organization "shall be borne by the signatory powers in the proportion fixed for the International Bureau of the Universal Postal Union." The convention establishing the Universal Postal Union actually fixes the proportions to be paid. Doubtless no better system could be devised at the present time.

The safeguards around the international directorate would be primarily, the substantial denial of power to use physical force, which would carry with it a denial of general taxing power; secondarily, the requirements that in its action it should deal exclusively with the national governments; that it should use conciliation and persuasion exclusively; that it should be composed of experts and superintending experts; that it should have a specific sphere of powers relating to the seas as the common property of all nations, to the international trade routes as subject to the common use of all nations, and to colonies and dependencies as subject to a qualified common use by all nations; and, thirdly, the provision that it should never be reduced to the necessity of begging money from the nations or asking protection from any nation, but should be assured, in advance and permanently, by an agreement of all nations, an adequate and dignified support, and perhaps also an appropriate seat of international direction exclusively governed by itself.

It is incumbent on the United States to see to it, so far as may be in its power, that no international directorate is ever established except under a written constitution delegating carefully limited powers and ratified by all, or at least two-thirds of the nations; and that the written constitution shall be plainly such on its face—not merely in substance, but also in form. It is incumbent also upon the United States to see to it that this constitution shall contain a plain and distinct recognition of the universal and fundamental principles which lie at the basis of all orderly and peaceful society. The insistence of Americans on written constitutions is not a mere American idiosyncrasy. Written constitutions are a vital and essential part of the American system, regarded as a universal system. By the Declaration of Independence, the American people com-

mitted themselves to maintenance of the proposition, as a universal and self-evident truth, that all men are equally the creatures of a common Creator, and that there are therefore certain rights of every human being, of which he cannot by his own action deprive himself, which arise from the nature of man as a spiritual being and from the equal endowment of each man by his Creator with the attributes of life, the will to live, and the desire for happiness, which are common to all; so that these fundamental and universal rights exist antecedent to and independent of every government, however great and powerful. This fundamental and necessary limitation upon the power of all governments requires recognition by all governments through a written constitution; and since all the subordinate rights of individuals established by governments must be derived from and consistent with these fundamental rights, written constitutions are also necessary in order to enable the people governed so to frame their government and so to limit and safeguard it, by general declarations, by specifications of powers, and by prohibitions, that it will certainly respect and secure the fundamental principles which underlie all human society and the fundamental rights of individuals and nations based on these fundamental principles.

Therefore it would be necessary that the written constitution of the society of nations establishing the international directorate should contain a declaration of the universal and fundamental principles of all human action and relationship such as is contained in the first sentence of the second paragraph of the preamble of the Declaration of Independence; a declaration of the fundamental rights and duties of nations, such as that which has been adopted by the American Peace Society and the American Institute of International Law; a declaration of the objects of the constitution, modeled upon the preamble of the Constitution of the United States; and also, if possible—after the provisions instituting the different parts of the general international directorate, defining their composition and the relations of one to the other, and determining the sphere of jurisdiction of the whole directorate and each of its parts by a specification of powers—a bill of rights demo-

cratizing and republicanizing the relations between the government of each nation and the people of the nation by establishing prohibitions, absolute or conditional, upon certain forms of governmental action found by experience to be injurious or destructive to liberty.

The institution of such an international directorate as has been above proposed would not disturb any of the existing agencies or processes by which international activities and relations are now directed. The nations would retain their ministries of foreign affairs, their ministries in charge of dependencies, their diplomatic and consular officers and their courts functioning in international cases. The judicial tribunals and the administrative arrangements ancillary to them, established by the Hague Conferences, would be unchanged. Upon the present international mechanism the international directorate would be superposed as a means of bringing all the existing agencies and processes into co-operation and harmony.

The international directorate proposed would be but an application on a universal scale of the system which nearly all nations having dependencies have found necessary in the management of their colonial empires. The Privy Council and the Council for India in Great Britain, and the colonial councils of the European nations, which, under the ministries for the colonies and dependencies, manage the colonial empires of these respective nations, are in principle interstate directorates, holding together widely separated countries, diverse in race, climate and civilization, by methods which are essentially conciliative. Though these interstate directorates are backed by the physical force of the nation, physical force has been found to be inapplicable in holding dependencies to nations except when used sparingly and scientifically in aid of conciliation, and in many cases to be wholly inapplicable. The superintending directorate in colonial empires is in process of evolution, and in one or more of them will doubtless soon be a fact. The problem of holding together the widely separated nations of the world, diverse in race, climate and civilization, is clearly analogous to the problem of managing colonial empires. The only difference is, that the international directorate must be a



delegated body, instituted by all the nations, which shall be of and for them all, and shall carry the principles of democracy and republicanism into international relations.<sup>1</sup>

The plan proposed would, of course, not be a panacea for all international ills. Each nation would continue to be free and independent. It would reject or accept the counsel of the international directorate according as it thought its self-interest demanded. Secret treaties and other forms of intrigue, and excessive national armaments to support the intrigues, would doubtless continue to go on. Domination of the seas, of the international trade routes and of the backward countries by individual nations or by a league or leagues of nations, would no doubt continue to be attempted. Invisible international government, in democracies and monarchies, would undoubtedly continue to be the dream of political, financial and trading syndicates, and to have a more or less stable *de facto* existence. Attempts would probably be made to pervert the international directorate to selfish national ends. Therefore war would continue to be possible. But a means would have been provided for the gradual abolition of all these abnormal processes and agencies and for the limitation, by the free act of the separate nations, of the excessive national armaments which make these abnormal processes and agencies possible. Excessive national armaments will be limited by the voluntary act of each nation when it ceases to be for the self-interest of each nation to maintain an excessive armament. When an international organization, by its successful operation, has made some part of a nation's armament unnecessary and therefore excessive, the nation will, as a matter of common sense and economic necessity, scrap the part which is excessive, and release the capital and labor for productive employment. Limitation of national armament in any other manner is, it would seem, impossible. In this manner it may be possible.

<sup>1</sup> Cf. The Administration of Dependencies, by the author of this article, pp. 527-530, 578-604, as respects the management of colonial empires by directive councils and superintending directive bodies, and the applicability of the directorate form of government in political aggregations where the federal-state form is inapplicable.

That some such international conciliative directorate as has been suggested, exercising legislative and administrative as well as judicial direction of the nations as respects international matters, must sooner or later be established, would seem to be beyond doubt. Destructive inventions have made the strong nations and the weak nations almost equally strong and equally defenseless. Constructive inventions have enabled all men and nations to share equally in the common necessities of life and in the common knowledge. All the races of men are rapidly becoming equal in physique and intelligence, and equally cognizant of their fundamental rights.

The proper time to begin the institution of the new system would seem to be the present moment. The questions of national existence and boundaries which are now the obstacles to peace, are almost entirely questions incidental to the rival ambitions of great powers. As things now are, small nations occupying strategic positions on international trade routes cannot be allowed independent existence within boundaries determined by the principles of nationality and equality of national right and opportunity. These small nations must, under the present system, be given such boundaries and allowed such privileges as are consistent with the political and economic policies of the nation or group of nations which for the moment holds the balance of power and dominates the particular international trade routes on which these small nations are situated. So long as there is no international direction to modify and gradually to supplant the present system of the balance of power, that system will remain, involving all the great powers in the struggle for world power, and leaving the small and strategically important nations in a condition of perpetual uncertainty as respects their boundaries, their privileges and even their national existence. A conclusion of the war which should determine, according to the exigencies of the balance of power, the relations of the great powers to each other and the privileges and boundaries of smaller nations, would greatly complicate the future. Such a peace, as laying the foundation for a greater war in the future, might prove a worse calamity than the war itself. The most certain assurance against a

peace of this kind would seem to be a unanimous agreement between the great powers, entered into during the war, accepting the principle of an international conciliative direction after the war.

Once such an agreement were signed, it would be possible for the great powers, in the treaty of peace, with safety to each and all and without loss of dignity to any, to adjust properly the relations of each to the other and to determine scientifically and fairly the questions concerning the existence, rights and boundaries of the smaller nations and the claims of the nationalities which are aspiring to nationhood. A treaty of peace so made would form a sound basis for the future orderly and peaceful co-operative development of all nations, and would greatly simplify the work of the international directorate which would be formally instituted after the war through a constitutional convention of all nations.